

THERESA NICHOLS & JOHN GUIDRY : 31ST JUDICIAL DISTRICT COURT
VS NO. C-602-21 : PARISH OF JEFFERSON DAVIS
CONTRACT FREIGHTERS INC. AND :
DAVID P. ALDERMAN : STATE OF LOUISIANA
FILED: 10/21/21 : Shirley Stauden
DEPUTY CLERK OF COURT

PETITION FOR DAMAGES

The Petition of THERESA NICHOLS & JOHN GUIDRY, residents of the full age of majority, in Sulphur, Calcasieu Parish Louisiana, respectfully represents:

1.

Made Defendants herein are:

- a. CONTRACT FREIGHTERS, INC., a foreign company, authorized to do and doing business in the State of Louisiana, who may be served through its agent for service of legal process, Corporation Service Company, 501 Louisiana Avenue, Baton Rouge, Louisiana 70802, and
- b. DAVID P. ALDERMAN, an individual who may be served at, 207 CD Road, Lufkin Texas, 75904 and be served pursuant to the Long Arm Statute, LSA-R.R. 13:3201.

2.

On or about November 3, 2020, at approximately 9:15 a.m., a 1999 Ford F350, being owned and driven by Petitioner, JOHN GUIDRY, was traveling Westbound on Interstate 10 near milepost 49, on the inside lane, Jefferson Davis Parish, Louisiana. Petitioner THERESA NICHOLS was riding as a guest passenger in the 1999 Ford F350. Suddenly and without warning, a 2019 Kenworth Tractor, being driven by Defendant, DAVID P. ALDERMAN, and owned by Defendant, CONTRACT FREIGHTERS INC., was traveling Westbound on the outside lane of Interstate 10 near milepost 49, Jefferson Davis Parish, Louisiana, began to improperly merge into the inside lane, colliding with Petitioner's vehicle, thereby causing injuries and damages as set forth below.

3.

At the time of the aforesaid collision, DAVID P. ALDERMAN, was operating the 2019 Kenworth Tractor in the course and scope of his employment with CONTRACT FREIGHTERS INC., Defendant herein. Therefore, CONTRACT FREIGHTERS INC., is responsible for the negligence of DAVID P. ALDERMAN under a theory of respondeat superior.

4.

The aforesaid accident was in no way attributable to the negligence of Petitioners, JOHN GUIDRY and THERESA NICHOLS, but on the contrary, was due to the negligence of Defendant, DAVID P. ALDERMAN whose negligence includes but is not limited to the following:

- a. Failing to keep his vehicle under proper control;
- b. Failing to keep a proper lookout;
- c. Failing to see what he should have seen and to do what he should have done;
- d. Failing to timely apply his brakes in order to avoid striking Petitioners;
- e. Driving at an excessive rate of speed under the circumstances; and
- f. Failing to exercise due care and caution under all facts and circumstances.

5.

Defendant, CONTRACT FREIGHTERS INC., was negligent and is liable to the Petitioners for the following reasons:

- a. Failure to properly train and instruct its drivers;
- b. Failure to properly supervise its drivers; and
- c. Failing to obey and failing to insure that its drivers obey laws, ordinances, and regulations regarding operation of vehicles.

6.

As a result of the accident Petitioner, JOHN GUIDRY, suffered extremely painful and serious injuries and damages including neck pain, back pain, right knee pain, right arm and hand pain, headaches, and a concussion.

7.

As a result of the accident and injuries, Petitioner, JOHN GUIDRY, has and will continue to sustain past, present and future medical expenses, and past, present and future mental and physical pain and suffering, disability, loss of earnings, loss of future earning capacity and loss of enjoyment of life, said injuries entitling Petitioner to such damages as are reasonable in the premises.

8.

As a result of the accident Petitioner, THERESA NICHOLS, suffered extremely painful and serious injuries and damages including neck pain, back pain, left shoulder pain, radiating

pain in both legs, seizures, headaches, and a concussion.

9.

As a result of the accident and injuries, Petitioner, THERESA NICHOLS, has and will continue to sustain past, present and future medical expenses, and past, present and future mental and physical pain and suffering, disability, loss of earnings, loss of future earning capacity and loss of enjoyment of life, said injuries entitling Petitioner to such damages as are reasonable in the premises.

10.

Upon information and belief, Petitioners further allege that at the time of the accident, Defendant, CONTRACT FREIGHTERS INC., was self-insured whereby said Defendant, CONTRACT FREIGHTERS INC., agreed to insure and indemnify its agents, servants and employees against any liability for acts resulting from accident or injury caused by its employees.

11.

Petitioners desire and are entitled to have the attached Interrogatories and Requests for Production of Documents be made a part hereof and served upon the Defendants simultaneously with the Petition for Damages, with each Defendant ordered to produce the information and documents within the time delays provided by law.

12.

Petitioner, JOHN GUIDRY, avers that at this time his damages exceed the jurisdictional amount necessary for a trial by jury and diversity jurisdiction.

13.

Petitioner, THERESA NICHOLS, avers that at this time her damages exceed the jurisdictional amount necessary for a trial by jury and diversity jurisdiction.


WHEREFORE, Petitioners, THERESA NICHOLS & JOHN GUIDRY, pray that Defendants, CONTRACT FREIGHTERS INC. and DAVID P. ALDERMAN, be duly served with a copy of the foregoing Petition and cited to appear and answer same, and after the lapse of all legal delays and due proceedings had, that there be judgment herein in favor of Petitioners,

THERESA NICHOLS & JOHN GUIDRY, and against Defendants, CONTRACT FREIGHTERS INC. and DAVID P. ALDERMAN, for general, special, and exemplary damages as are reasonable in the premises, together with legal interest thereon from the date of judicial demand until paid, and for all costs of these proceedings.

Petitioner further prays for such additional relief as the law, equity and nature of the case may permit.

By Their Attorneys,

BAGGETT, McCALL, BURGESS,
WATSON & GAUGHAN, L.L.C.


JAKE D. BUFORD (#34258)
Facsimile: (337) 478-8946
Telephone: (337) 478-8888
Email: jbuford@baggettmccall.com

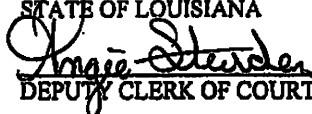
PLEASE SERVE THE FOLLOWING DEFENDANTS:

CONTRACT FREIGHTERS INC.

Through its agent for service of legal process:
Corporation Service Company
501 Louisiana Avenue
Baton Rouge Louisiana 70802

DAVID P. ALDERMAN

An individual who may be served
pursuant to the Long Arm Statute,
LSA-R.R. 13:3201 at:
207 CD Road
Lufkin Texas, 75409

THERESA NICHOLS & JOHN GUIDRY : 31ST JUDICIAL DISTRICT COURT
VS NO. C-602-21 : PARISH OF JEFFERSON DAVIS
CONTRACT FREIGHTERS INC. AND :
DAVID P. ALDERMAN : STATE OF LOUISIANA
FILED: 10/21/21 : 
DEPUTY CLERK OF COURT

**REQUEST FOR WRITTEN NOTICE
OF ASSIGNMENT AND WRITTEN NOTICE
OF ANY ORDER OR JUDGMENT MADE OR RENDERED**


TO: Honorable Richard M. "Rick" Arceneaux
Clerk of Court
31st Judicial District Court
Jefferson Davis Parish Courthouse
Jennings, Louisiana 70546

In accordance with the provisions of LSA - C.C.P. 1571 and 1572, you are hereby requested to give the undersigned, as counsel for Petitioners, THERESA NICHOLS & JOHN GUIDRY, in the above captioned matter, written notice, by mail, ten (10) days in advance of any date fixed for trial or hearing of the case, whether on exception, rules or the merits thereof.

In accordance with the provisions of LSA - C.C.P. 1914 and 1915, you are hereby additionally requested to send us immediate notice of any order or judgment made or rendered in this case on the entry of such order or judgment.

By Their Attorneys,

BAGGETT, McCALL, BURGESS,
WATSON & GAUGHAN, L.L.C.


JAKE D. BUFORD (#34258)
Facsimile: (337) 478-8946
Telephone: (337) 478-8888
Email: jbuford@baggettmccall.com

THERESA NICHOLS & JOHN GUIDRY : 31ST JUDICIAL DISTRICT COURT
VS NO. C-602-21 : PARISH OF JEFFERSON DAVIS
CONTRACT FREIGHTERS INC. AND
DAVID P. ALDERMAN : STATE OF LOUISIANA
FILED: 10/21/21 : Angie Stauden
DEPUTY CLERK OF COURT

INTERROGATORIES

To: DEFENDANTS, CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN

Plaintiffs, THERESA NICHOLS & JOHN GUIDRY, propound the following interrogatories to Defendants, CONTRACT FREIGHTERS INC. & DAVID P. ALDERMAN, to be answered under oath within the time limits provided by law:

DEFINITIONS:

"You" or "Your" includes the above named defendants and all representatives or other persons acting on behalf of the aforementioned defendants, including, but not limited to defendants' attorney.

"Document" means any printed, typewritten or handwritten instrument of whatever character or the physical expression of any means of storage of information and includes, without limitation, any correspondence, memorandum, agreement, letter, hand or typewritten note, computer printout, computer tape, microfilm, microfiche, tape recording, photograph, motion picture, plat, diagram, survey, voice tapes, recordings, e-mails, any computer communications, or other items of a similar nature, originals and non-identical copies and where original and/or non-identical copies are in existence, a copy of the original and a copy of all non-identical copies.

"Person" or "Persons" includes an actual person, firm, association, organization, partnership, business, trust, corporation or public entity.

"Plaintiff" means the named plaintiff in this lawsuit.

"Vehicle involved in the collision" concerns the vehicle driven by the defendant(s) driver at the time of the collision.

"IDENTIFY" or "IDENTIFICATION" or "IDENTITY" when referring to a person means to state the person's full name, present or last known address, and if known, present or former employer and job title, and when referring to a document means to give a reasonable description thereof, its date, and the full name and the present or last known address of the person, firm or corporation having possession, custody or control thereof.

INSTRUCTIONS:

A. In answering these Interrogatories, you are requested to furnish all information known or available to you regardless of whether this information is possessed directly by you or by your agents, employees, or representatives, or by your attorneys, their agents, employees, or representatives.

B. If any of these Interrogatories cannot be answered in full, please respond to the extent possible, specifying the reasons for your inability to respond to the remainder and

state whatever information, knowledge, or belief you do have concerning the unanswered portion.

C. If you claim privilege as to any matter requested, please give a detailed description of such privilege to allow plaintiff and the Court to ascertain the viability of the privilege.

D. Each Interrogatory is of a continuing nature. If, after serving an answer to any Interrogatory, you obtain or become aware of any further information that is responsive to such Interrogatory request, please serve amended answers setting forth such information.

INTERROGATORY NO. 1:

Please identify all persons providing factual information and/or assistance in answering plaintiff's written discovery in this case.

INTERROGATORY NO. 2:

Please identify all persons having knowledge of any discoverable matter. Please see Louisiana Code of Civil Procedure art. 1422 prior to objecting to this interrogatory.

INTERROGATORY NO. 3:

For all documents that you claim are privileged in response to plaintiff's written discovery, please give a reasonable description of the document, specify the privilege, give the custodian of said document, identify the attorney and/or client involved, identify the litigation and/or anticipated litigation involved, identify all recipients and past custodians of the document, identify whether or not the document has ever been used affirmatively in litigation, and identify whether or not there has ever been court rulings concerning whether or not the document is privilege or not.

INTERROGATORY NO. 4:

Please identify each person whom you expect to call as an expert witness at trial, and state the subject matter on which the expert is expected to testify, and state the substance of the facts to which the expert is expected to testify.

INTERROGATORY NO. 5:

Please identify all experts who you have retained or specially employed in anticipation of litigation or preparation for trial who is not expected to be called as a witness at trial.

INTERROGATORY NO. 6:

Please identify all witnesses you may or will call at the trial of this matter. Also, please give a brief statement of their expected testimony and state their relationship to plaintiffs or defendants, if any.

INTERROGATORY NO. 7:

Please identify all exhibits you may or will introduce at the trial of this matter.

INTERROGATORY NO. 8:

For all parties or non-parties that you contend are at fault as it relates to the allegations of this lawsuit, please identify said party or non-party and give a reasonable explanation of your contentions.

INTERROGATORY NO. 9:

Please identify all witnesses, documents, and facts, which support your affirmative defenses in this litigation.

INTERROGATORY NO. 10:

If you contend that plaintiff was at fault in this litigation, please identify all documents, witnesses, and facts that support your contention.

INTERROGATORY NO. 11:

Please identify all persons you have contacted in the course of investigating this litigation and state whether or not you have taken a statement from said person.

INTERROGATORY NO. 12:

Please identify the contents and the terms of any agreements concerning this case or related to this case entered into by you, whether written or oral, including agreements to cooperate at any stage, agreements concerning indemnity, contribution, sharing, or expenses.

INTERROGATORY NO. 13:

Please identify all causes for plaintiff's injuries or illnesses complained of in this litigation other than the facts as stated in plaintiff's petition.

INTERROGATORY NO. 14:

Do you have any information that plaintiff had any injuries that pre-existed the injuries complained of in this lawsuit and/or do you have any information that plaintiff has other injuries or health complaints other than those complained of in this lawsuit. If so, please give a reasonable description of such information.

INTERROGATORY NO. 15:

Do you have any information that plaintiff was ever arrested, charged, and/or convicted of any criminal offense? If so, please identify each arrest, charge, and/or conviction, including but not limited to dates, times, subject, offense, and outcome.

INTERROGATORY NO. 16:

Please give a reasonable description of all information you have which gives you any reason to believe that there was any defect or failure on the part of any equipment or apparatus involved in the accident, and/or litigation.

INTERROGATORY NO. 17:

Please give a reasonable description of all traffic citations the defendant driver received as a result of the collision by stating the name and location of the court involved, the violations of law charged, and the date, place, and manner or disposition of all such citations.

INTERROGATORY NO. 18:

Please give a reasonable description of all traffic citations the defendant driver has ever received.

INTERROGATORY NO. 19:

Please give a reasonable description of the defendant driver's license at the time of the collision, including the type, restrictions, and whether the license has ever been suspended or revoked.

INTERROGATORY NO. 20:

Please give a description of the defendant driver's occupation at the time of the collision.

INTERROGATORY NO. 21:

Please identify all persons who gave you information that is contrary to the information contained in the accident report concerning the collision.

INTERROGATORY NO. 22:

Please identify all witnesses to the collision.

INTERROGATORY NO. 23:

Please identify all persons who had contact with the defendant driver within 24 hours prior to the collision.

INTERROGATORY NO. 24:

Please identify all maps, plans, drawings, photographs, videotapes, movies, or other documents that in any way relate to the collision, the plaintiff, the accident scene, how the collision happened, or this case.

INTERROGATORY NO. 25:

Please identify all testing that has been done concerning the facts of the collision, including all accident reconstruction done by any expert witness you have hired.

INTERROGATORY NO. 26:

Please state where the defendant driver had been on the date of the accident and where she was going at the time of the collision.

INTERROGATORY NO. 27:

Please state what employment related duties the defendant driver was performing, if any, at the time of the accident and on the day of the accident.

INTERROGATORY NO. 28:

Please state whether the vehicle driven by the defendant driver was or has ever been used for any employment related activities. If so, please describe.

INTERROGATORY NO. 29:

Please give a reasonable description of all insurance that is or may be applicable to this litigation, including the full name of the insurer, the insured, dates of coverage and amounts of coverage.

INTERROGATORY NO. 30:

Please give a description of the history of the vehicle involved in the collision, including but not limited to, any known defect, any needed repairs, any scheduled repairs, complete history concerning the repair of the vehicle, all owners of the vehicle, all repair or maintenance shops that have worked on the vehicle, and any entity or person who had general or specific responsibility for repair or upkeep of the vehicle.

INTERROGATORY NO. 31:

Please describe any previous motor vehicle accidents of the defendant driver or the vehicle involved in the collision.

INTERROGATORY NO. 32:

Please give a description of the property damage of the vehicle involved in the collision, including but not limited to, the nature and amount of repairs needed or performed. Please include the name of all entities giving estimates on damage or making repairs.

INTERROGATORY NO. 33:

Please state the whereabouts of the vehicle involved in the collision since the accident that is the subject of this litigation.

THUS DONE AND SIGNED at Lake Charles, Louisiana this 21 day of October, 2021.

Submitted by:

BAGGETT, McCALL, BURGESS,
WATSON & GAUGHAN, L.L.C.



JAKE D. BUFORD (#34258)
Facsimile: (337) 478-8946
Telephone: (337) 478-8888
Email: jbuford@baggettmccall.com

THERESA NICHOLS & JOHN GUIDRY : 31ST JUDICIAL DISTRICT COURT
VS NO. C600-21 : PARISH OF JEFFERSON DAVIS
CONTRACT FREIGHTERS INC. AND
DAVID P. ALDERMAN : STATE OF LOUISIANA
FILED: 10/21/21 : M. J. Stender
DEPUTY CLERK OF COURT

REQUEST FOR PRODUCTION OF DOCUMENTS

To: DEFENDANTS, CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN

Plaintiffs, THERESA NICHOLS & JOHN GUIDRY, propound the following requests for production to Defendants, CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN, who are hereby notified to produce for inspection and copying within the time limits provided by law at the offices of Baggett, McCall, Burgess, Watson & Gaughan, 3006 Country Club Road, Lake Charles, Louisiana 70605, the following documents.

These requests are to be answered in accordance with the following definitions and instructions, and these definitions and instructions are hereby incorporated in each of said request as if contained therein.

DEFINITIONS:

"You" or "Your" includes the above named defendants and all representatives or other persons acting on behalf of the aforementioned defendants, including, but not limited to defendants' attorney.

"Document" means any printed, typewritten or handwritten instrument of whatever character or the physical expression of any means of storage of information and includes, without limitation, any correspondence, memorandum, agreement, letter, hand or typewritten note, computer printout, computer tape, microfilm, microfiche, tape recording, photograph, motion picture, plat, diagram, survey, voice tapes, recordings, e-mails, any computer communications, or other items of a similar nature, originals and non-identical copies and where original and/or non-identical copies are in existence, a copy of the original and a copy of all non-identical copies.

"Person" or "Persons" includes an actual person, firm, association, organization, partnership, business, trust, corporation or public entity.

"Plaintiff" means the named plaintiff in this lawsuit.

"Vehicle involved in the collision" concerns the vehicle driven by the defendant(s) driver at the time of the collision.

INSTRUCTIONS:

1. This discovery is deemed to be continuing and whenever you receive information that would be deemed to supplement these requests, you are hereby required to do so.
2. If any information in this discovery is deemed by you to be privileged, please state the privilege asserted, basic reasons behind the privilege, and enough information to enable plaintiff to brief and/or research the privilege issue.

REQUEST FOR PRODUCTION NO.:

(1) Please produce certified copy of all insurance which may be applicable to the allegations in this matter, including all umbrella and all excess coverage, including the declarations page for all policies.

(2) Please produce a copy of all statements you have taken in this case or which in any way relate to the facts surrounding this case.

(3) Please produce all accident or investigative reports which were generated as a result of this action or which relate to the facts surrounding this lawsuit.

(4) Please produce all photos or videotapes related to the plaintiff, the vehicles, the accident and/or this case.

(5) Please produce all documents related to plaintiff, including but not limited to medical records, criminal records, videotapes, pictures, statements, or work records.

(6) Please produce all testing results which in any way relate to this case.

(7) Please produce all exhibits you may or will introduce at the trial of this matter and/or at any hearings.

(8) Please produce all documents reviewed and/or relied upon by experts you anticipate calling at the trial of this matter.

(9) Please produce any Mary Carter Agreements or similar agreements relating to indemnity, settlement, or sharing of expenses and/or judgments.

(10) Please produce all expert reports related to this case, companion cases, or similar cases.

(11) Please produce the employment file, disciplinary file, medical file, if applicable, concerning the driver of the vehicle involved in the collision.

(12) Please produce the repair history of the vehicle involved in the collision.

(13) Please produce a copy of any type of disciplinary proceedings, write-up, internal investigation, warning, reprimand, or similar documents which in any way relate to the collision or the driver of the vehicle involved in the collision.

(14) Please produce all documents you maintain on the vehicle in question, including insurance, recommended repairs, repairs performed, modifications, uses, designated drivers, or any other document which you keep on the vehicle involved in the collision.

(15) Please produce all damage estimates on all vehicles involved in the collision at issue in this case.

(16) Please produce any and all documents identified in your Answers to Interrogatories.

(17) The complete personnel file on DAVID P. ALDERMAN, including but not limited to:

- a. Records of any criminal convictions of DAVID P. ALDERMAN;
- b. Records of all traffic tickets, traffic warnings, traffic citations or traffic charges against DAVID P. ALDERMAN relating to the employing, the employment or dismissal of DAVID P. ALDERMAN;
- c. Results of any drug examination or screening of DAVID P. ALDERMAN;
- d. All disciplinary or infraction records of DAVID P. ALDERMAN
- e. All pre-employment examinations of DAVID P. ALDERMAN, both physical and mental;
- f. A copy of any contract of employment or any document that would govern any relationship with any party or bear on the issue of employment;
- g. A copy of DAVID P. ALDERMAN'S driver's log book for at least 120 days prior to the time of this accident;
- h. Any documents, records or other information relating to the employment-relationship between CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN;
- i. Any other records indicating any past wrecks involving DAVID P. ALDERMAN, and
- j. All prior medical records and/or hospital records in your possession regarding DAVID P. ALDERMAN.

(18) A copy of the repair invoice of the defendant's vehicle.

(19) Any and all employment/employee manuals of CONTRACT FREIGHTERS INC., issued to its drivers and that were in effect at and/or before the time of this accident.

(21) A copy of the log that was kept on the defendant's vehicle for one year prior to the date of the accident up and through the date of the accident which shows the daily and total mileage, the number of trips made, destinations, dates or any combination thereof, and maintenance records.

(22) Please produce a copy of the last inspection made prior to the accident of the vehicle in question to comply with the state inspection requirements giving the name or number of the inspection station(s) that conducted the investigation.

- (23) Please produce copies of any and all records reflecting the following:
 - a. Make, model, year, and registration of the vehicle in question;
 - b. Name and address of the owner of the vehicle in question (both as of the date of the accident and today's date);
 - c. Materials being transported on the date in question; and
- (24) A copy of any and all manuals, procedures, guidelines, rules, safety tips, advisories, safety training, documents, drawings, writings, notes and/or memorandums concerning CONTRACT FREIGHTERS INC.'S training of its drivers at the time of the accident.
- (25) A copy of any and all manuals, procedures, guidelines, rules, safety tips, advisories, safety training, documents, drawings, writings, notes and/or memorandums relative to CONTRACT FREIGHTERS INC.'S policy, guidelines, and/or rules concerning employee driving during the course and scope of their employment at the time of this accident.
- (28) Please produce all pertinent documents relative to DAVID P. ALDERMEN in service or out of service status with CONTRACT FREIGHTER INC., for the time period January 1, 2020, through present.
- (29) Please produce all trip and/or operational documents pertaining to the movement of cargo by DAVID P. ALDERMAN and any of his accompanying co-drivers for the time period January 1, 2020 through present. This should include:
 - a. Driver's trip reports;
 - b. Receipts for expenses or purchases;
 - c. Cargo pickup or delivery orders;
 - d. Written or verbal request, instructions or orders for transportation;
 - e. Dispatch and operational records;
 - f. Driver call-in records or reports;
 - g. Accounting records; and
 - h. Any and all other operational or trip related documents.
- (30). Please produce all pertinent documents reflecting CONTRACT FREIGHTERS INC.'S policies and procedures at the time of the accident as they apply to the proper logging or accounting for time, as it applies to the loading or unloading of shipments, rest stops, meal stops, and the fueling of the vehicle.
- (31) Please produce documentation denoting all awards, recognition's, disciplinary actions, warning letters, violation letters and driver status merited by DAVID P. ALDERMAN.
- (32) Please produce any and all documents, forms, policies, rules and procedures which attest to CONTRACT FREIGHTERS INC.'S, compliance with FMCSR 49 C.F.R. Section 395 HOURS OF SERVICE OF DRIVERS for one year prior to the accident.
- (33) Please produce guidelines, policies, procedures or a written overview of CONTRACT FREIGHTERS INC.'S driver daily log auditing procedures which

were in effect at the time of the accident.

- (34) Please provide documents for the years 2020 and 2021 showing the total volume of logs received by CONTRACT FREIGHTERS INC., and the number of logs audited for the same time period.
- (36) Please produce all pertinent documents reflecting CONTRACT FREIGHTERS INC.'S compliance with CFR Part 385 SAFETY FITNESS PROCEDURES.

THUS DONE AND SIGNED at Lake Charles, Louisiana this 21 day of October, 2021.

Submitted by:

BAGGETT, McCALL, BURGESS,
WATSON & GAUGHAN, L.L.C.



JAKE D. BUFORD (#34258)

Facsimile: (337) 478-8946

Telephone: (337) 478-8888

Email: jbuford@baggettmccall.com

LOUISIANA CIVIL CASE REPORTING
Civil Case Cover Sheet – L.A. R.S. 13:4688 and
Part G, Louisiana Supreme Court General Administrative Rules

This civil case cover sheet shall be completed by counsel for the Plaintiff, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

Suit Caption: THERESA NICHOLS & JOHN GUIDRY
 VS.
 CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN

Court: 31ST Judicial District Court Docket Number: C-602-21

Parish of Filing: JEFFERSON DAVIS Filing Date: 10/21/21

Name of Lead Plaintiff's Attorney: Jake D. Buford

Name of Self-Represented Litigant: N/A

Number of named Plaintiff: 2 Number of named defendants: 2

Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):

<p>X Auto: Personal Injury Auto: Wrongful Death Asbestos: Property Damage Product Liability Intentional Bodily Injury Intentional Wrongful Death Business Tort Defamation Environmental Tort Intellectual Property Legal Malpractice Other Professional Malpractice Maritime Wrongful Death General Negligence</p>	<p>Auto: Property Damage Auto: Uninsured Motorist Asbestos: Personal Injury/Death Premise Liability Intentional Property Damage Unfair Business Practices Fraud Professional Negligence Medical Malpractice Toxic Tort Other Tort (describe below) Redhibition Class Action (nature of case)</p>
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Please briefly describe the nature of the litigation in one sentence of additional detail:

This is a personal injury claim resulting from a motor vehicle accident.

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name: Jake D. Buford

Signature: 

Address: 3006 Country Club Road, Lake Charles, LA 70601

Phone number: (337) 478-8888

E-mail: jbuford@baggettmcclain.com

**BAGGETT, McCALL, BURGESS
WATSON & GAUGHAN, L.L.C.**

3006 Country Club Road (70605)
P.O. Drawer 7820 • Lake Charles, LA 70606-7820
Phone (337) 478-8888 • Facsimile (337) 478-8946



WILLIAM B. BAGGETT
(1929-2015)
ROBERT C. McCALL
WILLIAM BAGGETT, JR.
ROGER D. BURGESS
WELLS T. WATSON
JEFFREY T. GAUGHAN

ERIN McCALL ALLEY
CHRISTOPHER C. McCALL
MELISSA SHAW-BROWN
ZITA M. ANDRUS
JAKE D. BUFORD
DOMINIQUE B. NICHOLSON

October 21, 2021

Via E-FILE

Honorable Richard M. "Rick" Arceneaux
Clerk of Court
31st Judicial District Court
Jefferson Davis Parish Courthouse
Jennings, Louisiana 70546

RE: THERESA NICHOLS & JOHN GUIDRY
VS.
CONTRACT FREIGHTERS INC. AND DAVID P. ALDERMAN

Dear Sir:

Please provide our office with a certified copy of our Petition for Damages along with once (1) Citation for Service, so that we may perfect service upon David P. Alderman, via the Louisiana Long-Arm Statute. In addition, we ask that you return a conformed copy to our office.

Also enclosed for filing is a Request for Written Notice.

Sincerely,


SHARRETTE KELLUM
Paralegal to Jake Buford

/SK
ENC.

E-Filed
10/21/2021 1:27 PM

21st
October
Jake Stuck 21

**CLERK OF COURT
JEFFERSON DAVIS PARISH**

**Richard M. Arceneaux
Clerk of Court**

**P.O. Box 799
Jennings, Louisiana
70546
(337) 824-8340**

October 21, 2021

**JAKE D BUFORD
ATTORNEY AT LAW
PO DRAWER 7820
LAKE CHARLES, LA 70605
337-478-8888**

**RE: THERESA NICOLS & JOHN GUIDRY
VS. NO. C-060221
CONTRACT FREIGHTERS INC & DAVID P ALDERMAN**

DEAR MR. BUFORD:

**ENCLOSED PLEASE FIND ONE CITATION WITH CERTIFIED COPY OF
PETITION FOR DAMAGES TO BE SERVED ON THE DEFENDANT, DAVID P ALDERMAN,
THROUGH THE LOUISIANA LONG ARM STATUTE.**

IF YOU NEED FURTHER ASSISTANCE, PLEASE CONTACT OUR OFFICE.

SINCERELY,

DEPUTY CLERK

ENCLOSURE

CITATION

THERESA NICOLS & JOHN GUIDRY

PLAINTIFF

VS.

CONTRACT FREIGHTERS INC & DAVID P
ALDERMAN

DEFENDANT

NO. C-060221

31st JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON DAVIS
STATE OF LOUISIANA

VIA LONG ARM STATUE

TO: DAVID P ALDERMAN, 207 CD ROAD, LUFKIN, TX 75409

YOU HAVE BEEN SUED.

Attached to this citation is a certified copy of the petition.* The petition tells you what you are being sued for. You must EITHER do what the petition asks OR, within THIRTY (30) DAYS after you have received these documents, you must file an answer or other legal pleadings, in writing, in the office of the Clerk of this Court at the Court House, 300 State Street, Jennings, Louisiana.

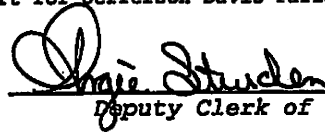
If you do not do what the petition asks, or if you do not file an answer or legal pleading within THIRTY (30) DAYS, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Jefferson Davis Parish, on the 21st day of October, 2021.

ATTORNEY:

JAKE D BUFORD
ATTORNEY AT LAW
PO DRAWER 7820
LAKE CHARLES, LA 70605
337-478-8888

BY:


Deputy Clerk of Court

Returned & Filed

_____, 20____

DEPUTY CLERK

*Also attached are the following documents:

☐

INTERROGATORIES

☐

REQUEST FOR ADMISSION OF FACTS

☒

OTHER, REQUEST FOR
PRODUCTIONS AND
WRITTEN NOTICE

COPY FOR RECORD

CITATION

THERESA NICOLS & JOHN GUIDRY

PLAINTIFF

VS.

CONTRACT FREIGHTERS INC & DAVID P
ALDERMAN

DEFENDANT

NO. C-060221

31st JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON DAVIS
STATE OF LOUISIANA

TO: CONTRACT FREIGHTERS INC, THROUGH ITS AGENT FOR SERVICE OF LEGAL
PROCESS, CORPORATION SERVICE COMPANY, 501 LOUISIANA AVENUE, BATON ROUGE, LA
70802

YOU HAVE BEEN SUED.

Attached to this citation is a certified copy of the petition.* The petition tells you what you are being sued for. You must EITHER do what the petition asks OR, within FIFTEEN (15) DAYS after you have received these documents, you must file an answer or other legal pleadings, in writing, in the office of the Clerk of this Court at the Court House, 300 State Street, Jennings, Louisiana.

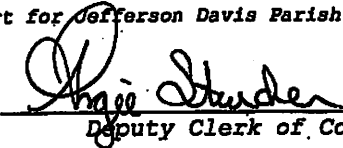
If you do not do what the petition asks, or if you do not file an answer or legal pleading within FIFTEEN (15) DAYS, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Jefferson Davis Parish, on the 21st day of October, 2021.

ATTORNEY:

JAKE D BUFORD
ATTORNEY AT LAW
PO DRAWER 7820
LAKE CHARLES, LA 70605
337-478-8888

BY:


Deputy Clerk of Court

Returned & Filed

_____, 20____

DEPUTY CLERK

*Also attached are the following documents:

☒

INTERROGATORIES



REQUEST FOR ADMISSION OF FACTS



OTHER; REQUEST FOR
PRODUCTIONS AND
WRITTEN NOTICE

**CLERK OF COURT
JEFFERSON DAVIS PARISH**

Richard M. Arceneaux
Clerk of Court

P.O. Box 799
Jennings, Louisiana
(337) 824-1160

Missy Gary
Chief Deputy

October 21, 2021

EAST BATON ROUGE PSH SHERIFF
P O BOX 3277
BATON ROUGE, LA 70821

RE: THERESA NICOLS & JOHN GUIDRY
VS. NO. C-060221
CONTRACT FREIGHTERS INC & DAVID P ALDERMAN

DEAR SHERIFF:

I AM HEREWITH ENCLOSING ONE CITATION WITH CERTIFIED PETITION FOR DAMAGES

IN THE ABOVE MATTER AND ASK THAT YOU SERVE:

CONTRACT FREIGHTERS INC, THROUGH ITS AGENT FOR SERVICE OF LEGAL PROCESS,
CORPORATION SERVICE COMPANY 501 LOUISIANA AVENUE, BATON ROUGE, LA 70802

X ENCLOSED IS PAYMENT FOR YOUR SERVICES: CK#40279 (EAST BATON ROUGE
SHERIFF \$33.36)

PLEASE FORWARD YOUR STATEMENT FOR COST OF SERVICE

PLEASE NOTE THAT THIS IS A PAUPER/CRIMINAL MATTER.

THANKING YOU IN ADVANCE FOR YOUR KIND ATTENTION IN THIS MATTER, I REMAIN,

YOURS VERY TRULY,

RICHARD M. ARCENEUX, CLERK OF COURT

BY: _____

DEPUTY CLERK

CITATIONTHERESA NICOLS & JOHN GUIDRY

PLAINTIFF

VS.

CONTRACT FREIGHTERS INC & DAVID P
ALDERMAN

DEFENDANT

NO. C-06022131st JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON DAVIS
STATE OF LOUISIANATO: CONTRACT FREIGHTERS INC, THROUGH ITS AGENT FOR SERVICE OF LEGAL
PROCESS, CORPORATION SERVICE COMPANY 501 LOUISIANA AVENUE, BATON ROUGE, LA
70802**YOU HAVE BEEN SUED.**

Attached to this citation is a certified copy of the petition.* The petition tells you what you are being sued for. You must EITHER do what the petition asks OR, within FIFTEEN (15) DAYS after you have received these documents, you must file an answer or other legal pleadings, in writing, in the office of the Clerk of this Court at the Court House, 300 State Street, Jennings, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within FIFTEEN (15) DAYS, a judgment may be entered against you without further notice.

This citation was issued by the Clerk of Court for Jefferson Davis Parish, on the 21st day of October, 2021.

ATTORNEY:

JAKE D BUFORD

ATTORNEY AT LAW

PO DRAWER 7820

LAKE CHARLES, LA 70605

337-478-8888

I made service on the named party through the Deputy Clerk of Court
CORPORATION SERVICE COMPANY

NOV 01 2021

by tendering a copy of this document to:

MELISSA HADDIN
DY. E. CUMMINS #1155
Deputy Sheriff, Parish of East Baton Rouge, LA,

Returned & Filed

11-10-2021
Deputy Clerk

*Also attached are the following documents:
Deputy Sheriff, Parish of East Baton Rouge, LA,

☐ INTERROGATORIES☐ REQUEST FOR ADMISSION OF FACTS☒ OTHER; REQUEST FOR
PRODUCTIONS AND
WRITTEN NOTICE**PERSONAL**

I served the original citation or other process and a
certified copy of the accompanying petition on the
day of _____, 20____ on the within named,

the Parish of _____ State
of Louisiana, by tendering the same to

in Person at _____

or the agent/atty., _____

in Person at _____

Deputy Sheriff

\$ _____

SECRETARY OF STATE

I served the original citation or other process and a
certified copy of the accompanying petition on the
day of _____, 20____ on the
within named party in the Parish of East Baton Rouge,
State of Louisiana, by tendering same to the within
named, through the Secretary of State of the State of
Louisiana, by handing same to _____

_____, in Person.

Deputy Sheriff

\$ EPASD**DOMICILIARY**

I served the original citation or other process and a
certified copy of the accompanying petition on the
day of _____, 20____ on

the within named _____
at his dwelling house or usual place of DOMICILE at

by leaving same with _____

a person of suitable age and discretion residing
therein as a member of within named person's
domiciliary establishment.

Deputy Sheriff

\$ _____

DUE AND DILIGENT

I received the original citation or other process and
a certified copy of the accompanying petition on the
day of _____, 20____.

After diligent search and inquiry, was unable to find
the within named _____

or his domicile, or anyone legally authorized to
represent him. I, therefore, return original citation
or other process and accompanying certified petition
NOT SERVED this _____ day of _____, 20____

Deputy Sheriff

\$ _____